

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	Chapter 11
	§	
Tuesday Morning Corporation, <i>et al.</i> ,	§	
	§	Case No. 20-31476-HDH-11
	§	
Debtor.	§	Jointly Administered

WITNESS AND EXHIBIT LIST

The landlords listed on Schedule A hereto (collectively, the “***Landlords***” and each a “***Landlord***”) file this Witness and Exhibit list for the hearing scheduled for March 24, 2021 in connection with the following matters:

- Objections to the Debtors’ proposed cure amounts (the “***Cure Objections***”) contained in the Debtors’ unexpired lease and executory contract assumption notices (the “***Cure Notices***”) filed at Docket Nos. 1107, 1108, and 1201, as amended by the Schedule of Assumed Contracts and Cures and the Schedule of Assumed Leases and Cures incorporated in the Debtors’ Plan Supplement filed in the Notice of Filing of Plan Supplement [Docket No. 1788, at Exhibits 4–A and 4–B]; and
- Debtors’ Motion for Entry of an Order (I) Compelling Landlords’ Compliance with Amended Leases for Store Nos. 91 and 399 and (II) Approving Debtors’ Assumption of the Amended Leases [Docket Nos. 1937 & 1938] (the “***Motion to Compel***”).¹

¹ The parties have been working toward a possible consensual resolution of the Motion to Compel. The respective Landlords, thus, respectfully request that, if the hearing on March 24, 2021 goes forward as to the Motion to Compel, it serve as a status conference only. Moreover, as set forth in the respective Landlords objection to the Motion to Compel (ECF No. 2072), to the extent that the Court hears the Motion to Compel on March 24, 2021, Landlords will request that the Court set a full evidentiary hearing for a later date on the issues raised in their objection, with live testimony and an opportunity to take discovery, and they continue to reserve all rights herein to make that request.

Witnesses

1. Any witness listed or called by any other party; and
2. Any witness necessary to rebut the testimony of a witness called or designated by any other party

Exhibits

1. All exhibits presented or designated by any other party.
2. All exhibits necessary to rebut any exhibit presented or designated by any other party.

[Remainder of page intentionally left blank]

Dated: March 19, 2021

Respectfully submitted,

REED SMITH LLP

By: /s/ Michael P. Cooley

Michael P. Cooley (SBN 24034388)
2850 N. Harwood St., Ste. 1500
Dallas, Texas 75201
T: 469.680.4200
F: 469.680.4299
mpcooley@reedsmith.com

and

Leslie C. Heilman, Esquire (No. 4716)
Laurel D. Roglen, Esquire (No. 5759)
BALLARD SPAHR LLP
919 N. Market Street, 11th Floor
Wilmington, DE 19801
Telephone: (302) 252-4465
Facsimile: (302) 252-4466
E-mail: summersm@ballardspahr.com
heilmanl@ballardspahr.com
roglenl@ballardspahr.com

Dustin P. Branch, Esquire
Jessica M. Simon, Esquire
BALLARD SPAHR LLP
2029 Century Park East, Suite 1400
Los Angeles, CA 90067-2915
Telephone: (424) 204-4354
Facsimile: (424) 204-4350
E-mail: branchd@ballardspahr.com
simonjm@ballardspahr.com

*Attorneys for Landlords identified on
Schedule A*

CERTIFICATE OF SERVICE

The undersigned certifies that, on March 19, 2021, a true and correct copy of the foregoing document was served via the Court's Electronic Case Filing (ECF) system upon all parties registered to receive electronic notices in this case, including the Office of the United States Trustee, the chapter 11 trustee, and counsel for the Official Committee of Unsecured Creditors.

/s/ Michael P. Cooley

Michael P. Cooley

Schedule A

**ACADIA REALTY LIMITED PARTNERSHIP
PRESTON SHEPARD RETAIL, LP
CENTERPOINTE OWNER LLC
ARC MCLVSNV001, LLC
ARC TSKCYMO001, LLC
BRIXMOR OPERATING PARTNERSHIP LP
C.E. JOHN COMPANY, INC.
CITIVEST COMMERCIAL INVESTMENTS, LLC
DEUTSCHE ASSET & WEALTH MANAGEMENT
FEDERAL REALTY INVESTMENT TRUST
FIREWHEEL LLC
HUTENSKY CAPITAL PARTNERS
JT PROPERTY, LLC (d/b/a/ JTABO, LLC in New Mexico)
NNN PONTE VEDRA OWNER
NEW MARKET PROPERTIES LLC
PRIDE CENTER CO.
STARWOOD RETAIL PARTNERS LP
TAYLOR 23855 HAWTHORNE LLC
THE MACERICH COMPANY
TRED AVON, LLC
WEST VALLEY PROPERTIES, INC.**